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# THE SITUATION IN BURUNDI

## Burundi: draft resolution

The General Assembly,

Acting in accordance with the relevant provisions of the Charter of the United Nations, in particular Chapters VI, VII and IX,

Recalling its resolutions 48/118 of 20 December 1993, which highlights the necessity of mobilizing assistance to refugees, returnees and displaced persons in Africa, and 50/159 of 22 December 1995,

Bearing in mind Security Council resolution 1072 (1996), in which the Council expresses its strong support for the efforts of regional leaders, the Organization of African Unity and the facilitator to assist Burundi in overcoming the crisis peacefully and encourages them to continue to facilitate the search for a political solution,

Taking note of Decree No. 100/023 of 12 September 1996, which was transmitted to the Heads of State of the Great Lakes region, the President of the Security Council, the Secretary-General and the facilitator, and by virtue of which the President of Burundi re-established the National Assembly and lifted the ban on political parties,[1]

Taking note also of the commitment by the Burundian Government to negotiate with all groups, including the armed factions, as the President of Burundi announced in his letters of 28 and 30 October 1996 to the Heads of State of the Great Lakes region, the President of the Security Council, the Secretary-General and the facilitator,

[1] S/1996/750, annex, para. 7 (a) and (b).

Taking note of the letter dated 31 October 1996 addressed to the President of the Security Council by the Secretary of State for Cooperation of Burundi,[2] by which the Burundian Government recalled that it had met all the conditions imposed on Burundi by its neighbouring countries and by Security Council resolution 1072 (1996),

Referring to the report of the International Commission of Inquiry for Burundi on the assassination of President Melchior Ndadaye and the genocide perpetrated against the Tutsi ethnic group and many Hutus belonging to the opposition,[3]

Responding to the request made by the Government of Burundi in its letter of 23 October 1996 to the Secretary-General[4] that an international criminal tribunal be established to try the murderers of President Melchior Ndadaye and the perpetrators of the genocide of tens of thousands of innocent Tutsi and Hutu citizens,

Having taken note of the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Burundi,[5]

Having considered the report of the Secretary-General to the Security Council on the situation in Burundi,[6]

Welcoming the proposal made by the Burundian Government in its letter of 28 August 1996 to the Secretary-General and to the United Nations High Commissioner for Human Rights calling for an increase in the number of human rights observers and the dispatching of fact-finding missions to investigate the allegations of human rights violations made by representatives of certain humanitarian organizations, in particular, Amnesty International,

Commending the Government of Burundi for appointing the Special Commission to prepare the national debate,

Welcoming the proposal by the Burundian Government to organize and hold an international conference on the conflicts in the Great Lakes region,

Noting with very deep concern that the total economic blockade imposed against Burundi seriously penalizes the most vulnerable social groups, particularly the hundreds of thousands of displaced persons, the tens of thousands of returnees, the sick, women, children and the elderly,

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[2] S/1996/898, annex I.

[3] S/1996/682.

[4] S/1996/910.

[5] A/51/459, annex.

[6] S/1996/887 and Corr.1.

Convinced that the economic blockade imposed against Burundi is in fact having definite counter-productive effects that are likely to have an adverse impact on the peace negotiations and may even bring them to a standstill,

Fully determined to prevent relations between the States of the Great Lakes region from deteriorating, and especially to avert the risk of widespread conflict or a dangerous conflagration that would seriously jeopardize peace and security in this part of Africa,

1. Strongly encourages all the parties to the conflict, the Government, political parties, rebel factions inside and outside the country and civil society to engage in unconditional negotiations with a view to reaching a comprehensive political settlement;

2. Demands that all the parties in Burundi strictly renounce all violence against civilian populations;

3. Vigorously condemns the murderers of the three staff members of the International Committee of the Red Cross in June 1996 and Archbishop Joachim Ruhuna de Gitega in September 1996 and demands that investigations be conducted to identify the perpetrators of these heinous crimes and bring them to justice;

4. Insists in particular on the paramount obligation of the armed rebels to refrain from any attack on the safety of humanitarian organizations and their operations, and the corresponding obligation of the Burundian Government to provide them with maximum protection;

5. Requests the Secretary-General to hold direct consultations with all the States of the Great Lakes region, including Burundi, the Secretary-General of the Organization of African Unity and the facilitator with a view to identifying the causes that are blocking, delaying or slowing down the launching of the peace negotiations;

6. Acknowledges the significance of the request by the Government of Burundi for the establishment of an international criminal tribunal to try the murderers of President Melchior Ndadaye and the criminals who organized and perpetrated the genocide of tens of thousands of Tutsi and Hutu citizens on account of their ethnic group or political affiliation;

7. Reiterates its vigorous condemnation of all those who, inside or outside the country, massacre innocent populations, preach or practise ideologies of violence or extermination, senselessly violate human rights and seriously undermine national peace and security;

8. Makes an impassioned appeal to the United Nations system and to intergovernmental and non-governmental humanitarian organizations to join in providing assistance to those segments of the population most gravely affected by the embargo and whose already grim economic, material and health conditions are being greatly exacerbated by the total blockade imposed against Burundi, namely, displaced persons, returnees, the sick, women, children and the elderly;

9. Reiterates its urgent appeal to the States Members of the United Nations, the financial and economic institutions of the United Nations system, intergovernmental and non-governmental humanitarian organizations and the international community as a whole to implement the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995;

10. Solemnly draws the attention of the Security Council, pursuant to Article 11, paragraph 3, of the Charter of the United Nations, to the growing threat to peace and security in the Great Lakes region posed by the blockade against Burundi;

11. Expresses its deep concern at these economic sanctions, which are strangling a member of the United Nations that has already been classified as a least developed country, has been shaken by a three-year-long crisis and is landlocked and overpopulated;

12. Expresses its deep sympathy at the tremendous sacrifices imposed on the innocent population by the economic embargo;

13. Declares itself resolved to offset the risk of a veritable implosion within the country and a general explosion in the Great Lakes region as a result of the tensions building in certain countries and generated by the political environment;

14. Recognizes that the economic blockade may be exploited by the rebel camps, which reject negotiations while banking on the collapse of national institutions and the national economy;

15. Firmly upholds the validity of the principles cited in comparable situations by certain Governments which imposed the embargo against Burundi, namely, that the imposition on a State of an economic, commercial or financial blockade also has adverse consequences for the sovereignty and interests of other countries and that the imposition of one State's jurisdiction on another State is contrary to the principles of international law;

16. Urgently requests the countries that imposed the economic blockade against Burundi to lift it and to give priority to finding a peaceful political settlement to the Burundian conflict that is fully in keeping with the relevant provisions of the Charter of the United Nations, and especially with Article 1, paragraph 2; Article 2, paragraph 7; Article 33, paragraph 1; Articles 41 and 52 and Article 53, paragraph 1;

17. Recommends to the Secretary-General and to the United Nations High Commissioner for Human Rights that the number of human rights observers in Burundi be increased and that, pursuant to the repeated requests made by that country, the massacres alleged by Amnesty International to have taken place since the current regime took power be investigated;

18. Welcomes the re-establishment of the National Assembly and the resumed functioning of political parties, as well as the often declared readiness of the Burundian Government to negotiate with the rebel groups, including the armed

factions, provided that they agree to do so and are so invited by the facilitator;

19. Commends the appointment of the Special Commission charged with preparing the national debate and strongly urges the Burundian Government to speed up the preparations to that end and to include in this historic meeting all political groups inside and outside the country and representatives of civil society;

20. Confirms the necessity of convening as soon as possible an international conference on the Great Lakes region focusing on peace, security, stability, development and elimination of the causes of the chronic socio-political conflicts in this part of Africa and entrusts to the Secretary-General of the United Nations, in cooperation with the Secretary-General of the Organization of African Unity and with the active and effective participation of all the countries of the region, the task of ensuring that this project is realized;

21. Expresses its sincere gratitude to the Secretary-General of the United Nations, the United Nations High Commissioner for Refugees, the European Union, the United States of America and South Africa for the concern for Burundi that they have displayed directly through their representatives during this difficult time;

22. Once again solemnly appeals to the community of States, the United Nations system and intergovernmental and non-governmental humanitarian organizations to redouble their commitment and take further initiatives to mobilize the political, diplomatic, human, economic, financial and material resources needed to end the Burundian crisis definitively and, thereby, to bring these collective efforts to fruition in a genuine national reconciliation of the Burundian people;

23. Requests the Secretary-General to report to the General Assembly at its fifty-second session;

24. Decides to include in the provisional agenda of its fifty-second session the item entitled "The situation in Burundi".

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